

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)		Docket Number CS10466
First Named Inventor: Kotzin, Michael D.	Art Unit: 2661	RECEIVED CENTRAL FAX CENTER DEC 08 2003
Application Number: 09/921,392	Examiner: Unknown	
Filed: 03/13/2002		
Title: METHOD AND APPARATUS FOR ENABLING AND REWARDING WIRELESS RESOURCE SHARING		
Attention: Office of Petitions Mail Stop Petition Commissioner for Patents P. O. Box 1450 Alexandria, VA 22313-1450 FAX: (703) 308-6916		
Note: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.		
The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.		
APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION		
NOTE: A grantable petition requires the following items:		
(1) Petition fee; (2) Reply and/or issue fee; (3) Terminal disclaimer with disclaimer fee—required for all utility and plant applications filed before June 8, 1995; and for all design applications; and (4) Statement that the entire delay was unintentional.		
1. Petition fee		
<input type="checkbox"/> Small entity – fee \$ _____ (37 CFR 1.17(I)). Applicant claims small entity status. See 37 CFR 1.27.		
<input checked="" type="checkbox"/> Other than small entity – fee \$ <u>1330.00</u>		
2. Reply and/or fee		
A. The reply and/or fee to the above-noted Office action in the form of _____ (identify type of reply)		
<input type="checkbox"/> has been filed previously on _____		
<input type="checkbox"/> is enclosed herewith		
B. The issue fee of \$ _____		
<input type="checkbox"/> has been paid previously on _____		
<input type="checkbox"/> is enclosed herewith.		

Page 1 of 2

This collection of information is required by 37 CFR 1.137. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Office, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. **DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop Petition, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.**

03/11/2004 AXELLEY
01 FC#1051 130.00 DA

3. Terminal Disclaimer with disclaimer fee

☐ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63)

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(iii)(C) and (D))]

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 8, 2003
Date

847-576-3992
Telephone Number


Signature

Brian M. Mancini
Typed or printed name

1303 E. Algonquin Rd.
Address
Schaumburg, IL 60196
Address

Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☐ Additional sheets containing statements establishing unintentional delay
☐ Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

I hereby certify that this correspondence is being:

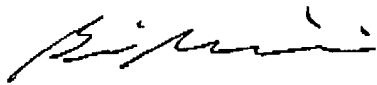
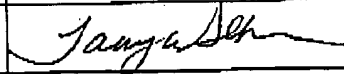
☐ deposited with the United States Postal Service on the date shown below with sufficient postage as first-class mail in an envelope addressed to: **Mail Stop Petition**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

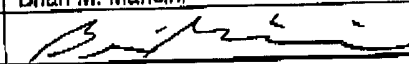
☒ transmitted by facsimile on the date shown below to the United States Patent and Trademark office at (703) 308-6916.

December 8, 2003
Date


Signature

Tanya Scheuer
Typed or printed name of person signing certificate

TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/921,392	
	Filing Date	03/13/2002	
	First Named Inventor	Kotzin, Michael D.	
	Group Art Unit	2661	
	Examiner Name	Unknown	
	Attorney Docket Number	CS10466	
Total Number of Pages in this Submission			
ENCLOSURES (check all that apply)			
<input checked="" type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to Group	
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-Related papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences	
<input type="checkbox"/> Amendment/Reply	<input checked="" type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief)	
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information	
<input type="checkbox"/> Affidavits/Declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address	<input type="checkbox"/> Status Letter with appropriate copies	
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input type="checkbox"/> Other Enclosure(s) (please identify below)	
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Request for Refund		
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CDs		
<input type="checkbox"/> Certified Copy of Priority Documents	Remarks		
<input type="checkbox"/> Response to Missing Parts/Incomplete Application			
<input type="checkbox"/> Response to Missing Parts Under 37 CFR 1.52 or 1.53			
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or Individual	Brian M. Mancini	Registration No.	39,288
Signature			
Date	December 8, 2003		
CERTIFICATE OF MAILING			
I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450 on the date listed below:			
Typed or printed name	Tanya Scheuer		
Signature		Date	December 8, 2003

FEE TRANSMITTAL		Complete if Known																																																																																																																																																						
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<input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other <input type="checkbox"/> None <input checked="" type="checkbox"/> Deposit Account: Deposit Account Number 50-2117 Deposit Account Name Motorola, Inc.		3. ADDITIONAL FEES <table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">Large Entity</th> <th colspan="2">Small Entity</th> <th rowspan="2">Fee Description</th> </tr> <tr> <th>Code</th> <th>Fee (\$)</th> <th>Code</th> <th>Fee (\$)</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or oath</td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late Provisional filing</td></tr> <tr><td>1053</td><td>130</td><td>1053</td><td>130</td><td>Non-English specification</td></tr> <tr><td>1812</td><td>2520</td><td>1812</td><td>2520</td><td>For filing a request for ex parte Reexamination</td></tr> <tr><td>1804</td><td>920*</td><td>1804</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td></tr> <tr><td>1806</td><td>1840*</td><td>1806</td><td>1840*</td><td>Requesting publication of SIR after Examiner action</td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for reply within first month</td></tr> <tr><td>1252</td><td>420</td><td>2252</td><td>210</td><td>Extension for reply within second month</td></tr> <tr><td>1253</td><td>960</td><td>2253</td><td>475</td><td>Extension for reply within third month</td></tr> <tr><td>1254</td><td>1480</td><td>2254</td><td>740</td><td>Extension for reply within fourth month</td></tr> <tr><td>1255</td><td>2010</td><td>2255</td><td>1005</td><td>Extension for reply within fifth month</td></tr> <tr><td>1401</td><td>330</td><td>2401</td><td>165</td><td>Notice of Appeal</td></tr> <tr><td>1402</td><td>330</td><td>2402</td><td>165</td><td>Filing a brief in support of an appeal</td></tr> <tr><td>1403</td><td>290</td><td>2403</td><td>145</td><td>Request for oral hearing</td></tr> <tr><td>1451</td><td>1510</td><td>1451</td><td>1510</td><td>Petition to institute a public use proceeding</td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive - unavoidable</td></tr> <tr><td>1453</td><td>1330</td><td>2453</td><td>665</td><td>Petition to revive - unintentional</td></tr> <tr><td>1501</td><td>1330</td><td>2501</td><td>665</td><td>Utility issue fee (or reissue)</td></tr> <tr><td>1502</td><td>480</td><td>2502</td><td>240</td><td>Design issue fee</td></tr> <tr><td>1503</td><td>640</td><td>2503</td><td>320</td><td>Plant issue fee</td></tr> <tr><td>1480</td><td>130</td><td>1480</td><td>130</td><td>Petitions to the Commissioner</td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Processing fee under 37 CFR 1.17(c)</td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of IDS</td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (three number of properties)</td></tr> <tr><td>1809</td><td>770</td><td>2809</td><td>385</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td></tr> <tr><td>1810</td><td>770</td><td>2810</td><td>385</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td></tr> <tr><td>1801</td><td>770</td><td>2801</td><td>385</td><td>Request for Continued Examination (RCE)</td></tr> <tr><td>1802</td><td>800</td><td>1802</td><td>800</td><td>Request for expedited examination of a design application</td></tr> </tbody> </table>		Large Entity		Small Entity		Fee Description	Code	Fee (\$)	Code	Fee (\$)	1051	130	2051	65	Surcharge - late filing fee or oath	1052	50	2052	25	Surcharge - late Provisional filing	1053	130	1053	130	Non-English specification	1812	2520	1812	2520	For filing a request for ex parte Reexamination	1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	1806	1840*	1806	1840*	Requesting publication of SIR after Examiner action	1251	110	2251	55	Extension for reply within first month	1252	420	2252	210	Extension for reply within second month	1253	960	2253	475	Extension for reply within third month	1254	1480	2254	740	Extension for reply within fourth month	1255	2010	2255	1005	Extension for reply within fifth month	1401	330	2401	165	Notice of Appeal	1402	330	2402	165	Filing a brief in support of an appeal	1403	290	2403	145	Request for oral hearing	1451	1510	1451	1510	Petition to institute a public use proceeding	1452	110	2452	55	Petition to revive - unavoidable	1453	1330	2453	665	Petition to revive - unintentional	1501	1330	2501	665	Utility issue fee (or reissue)	1502	480	2502	240	Design issue fee	1503	640	2503	320	Plant issue fee	1480	130	1480	130	Petitions to the Commissioner	1807	50	1807	50	Processing fee under 37 CFR 1.17(c)	1806	180	1806	180	Submission of IDS	8021	40	8021	40	Recording each patent assignment per property (three number of properties)	1809	770	2809	385	Filing a submission after final rejection (37 CFR § 1.129(a))	1810	770	2810	385	For each additional invention to be examined (37 CFR § 1.129(b))	1801	770	2801	385	Request for Continued Examination (RCE)	1802	800	1802	800	Request for expedited examination of a design application
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DEC 08 2003

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Kotzin, Michael D.

CASE NO.: CS10466

SERIAL NO.: 09/921,392

FILED: 03/13/2002

OFFICIAL

TITLED: Method and Apparatus for Enabling and Rewarding Wireless Resource Sharing

Motorola, Inc.
600 North US Highway 45
Libertyville, IL 60048

Certificate of Transmission under 37 CFR 1.8	
I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office.	
on <u>December 8, 2003</u>	
<u>Motorola, Inc.</u>	<u>12/8/03</u>
Name of applicant, assignee, or Registered Representative	Date
<u>Jay Sch</u>	
Signature	

PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT
ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicants respectfully petition under 37 CFR 1.137 (b) that the above-captioned application be revived as a pending application of one unintentionally abandoned.

A Petition to Revive an Unintentionally Abandoned Application must be filed within one year of the date on which the application became abandoned. A Notice to File Missing Parts (attached) was mailed on 09/25/2001, establishing a shortened statutory period of two (2) months to respond with available extension under 37 CFR 1.136 (a). The above-captioned application

became abandoned on 11/25/2002. A Notice of Abandonment (attached) was mailed on 11/19/2003, approximately two years after abandonment.

Although this petition is being filed after the one-year period from abandonment, applicant respectfully submits that the original Notice to File Missing Parts and subsequent abandonment resulting from the failure to reply thereto are in error.

The 09/25/2001 Notice to File Missing Parts cites an unsigned oath or declaration, and we note that the accompanying Filing Receipt of 09/25/2001 indicates that the inventor residence was not provided. However, the original application was filed with a signed oath and declaration and included a residence. Copies of the original oath and postcard listing an enclosed executed oath are attached as evidence of this. Further we note that with the Notice of Recordation of Assignment of 10/11/2001 the signed portion of the oath and declaration were actually returned to us. Specifically, pages 1 and 2 of the Assignment (the complete Assignment) and page 3 of the oath and declaration (moreover, the signed portion with residence included) was returned to us. Pages 1 and 2 of the oath and declaration were not returned to us. We believe that signed page 3 of the oath and declaration may have been mistakenly combined with pages 1 and 2 of the assignment, with pages 1 and 2 of the oath and declaration discarded. We also note that the Notice of Recordation of Assignment stored four pages on Reel 012049, Frame 0548. Inasmuch as the Assignment document is only two pages long, we believe that the signed portion of the oath may have mistakenly attached to the assignment document.

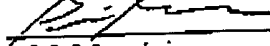
A Petition to Revive an Unintentionally Abandoned Application must be accompanied by (1) a proposed response (unless previously filed), (2) a petition fee 37 CFR 1.17(m), (3) a statement that the delay was unintentional, and (4) a terminal disclaimer as required.

- (1) The remarks herein constitute our proposed response;
- (2) The petition fee of \$1,330.00 set forth in 37CFR 1.17(m) is hereby authorized to be charged to Deposit Account No. 50-2117. Please charge any additional fee or credit any overpayment to same;
- (3) The delay was unintentional. The application was unintentionally abandoned and the attached petition to revive was unintentionally delayed as a result of the abandonment being discovered only recently by the Notice of Abandonment mailed on 11/19/2003, approximately two years after actual abandonment; and
- (4) No terminal disclaimer is required as the application was filed after 06/08/1995.

Upon a 12/4/2003 telephone conversation with Petition's Attorney Patricia Ball (703-305-4497), applicant respectfully petitions that the above-captioned application be revived as a pending application. Applicant respectfully submits that the Notice to File Missing Parts and subsequent abandonment resulting from the failure to reply thereto are in error. In addition, applicant believes that all the filing requirements were fulfilled with our original filing. Due to these extenuating circumstances applicant request the revival of the application.

Respectfully submitted,
Michael D. Kotzin

Customer Number 22917
Motorola, Inc.
600 North US Highway 45
Libertyville, IL 60048

By: 
Brian M. Mancini
Attorney for Applicant(s)
Registration No. 39,288
Phone: (847) 576-3992
FAX: (847) 576-3750



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/921,392	08/02/2001	Michael D. Kotzin	CS10466

20280
MOTOROLA INC
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048-5343

CONFIRMATION NO. 5983
ABANDONMENT/TERMINATION
LETTER
"OC000000011301787"

Date Mailed: 11/19/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/25/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(i); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9262. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

[Signature]

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/921,392	08/02/2001	Michael D. Kotzin	CS10466

20280
MOTOROLA INC
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048-5343

CONFIRMATION NO. 5983

FORMALITIES LETTER



0000000006767105

Date Mailed: 09/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

MTB
Customer Service Center
Initial Patent Examination Division (703) 308-1202
PART 1 - ATTORNEY/APPLICANT COPY



UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
ASSISTANT SECRETARY AND COMMISSIONER
OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

OCTOBER 11, 2001

PTAS



101808464A

MOTOROLA, INC.
BRIAN M. MANCINI
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 08/02/2001

REEL/FRAME: 012049/0548
NUMBER OF PAGES: 4

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:
KOTZIN, MICHAEL D.

DOC DATE: 08/01/2001

ASSIGNEE:
MOTOROLA INC.
1303 EAST ALGONQUIN ROAD
SCHAUMBURG, ILLINOIS 60196

SERIAL NUMBER: 09921392
PATENT NUMBER:

FILING DATE: 08/02/2001
ISSUE DATE:

JACQUELINE MOORE, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

08-13-2001

EL759668730US

Form: PTO-1595



ET

101808464

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1 Name of conveying party(ies):
Michael D. Kotzin

8/2/01

2 Name and address of receiving party(ies)

Name: Motorola, Inc.Internal Address: Law Department

Additional name(s) of conveying party(ies) attached?

☐ Yes ☐ No

3 Name of conveyance:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other

Execution Date: 8/01/01

Street Address: 1303 East Algonquin RoadCity: SchaumburgState: ILZip: 60196

Additional name(s) & address(es) attached?

☐ Yes ☐ NoJ1050 U.S. PTO
09/21/392

08/02/01

4 Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is _____

A. Patent Application No.(s)

B. Patent No.(s)

09/21/392

Additional numbers attached? ☐ Yes ☐ No

5 Name and address of party to whom correspondence concerning document should be mailed:

Name: MOTOROLA, INC.Internal Address: IL 93 AN475Street Address: 600 North U.S. Highway 45City: LibertyvilleState: IllinoisZip: 60048

6 Total number of applications and patents involved:

1

7 Total fee (37 CFR 3.41) \$40.00☐ Enclosed☒ Authorized to be charged to deposit account8 Deposit account number: 13-4768

(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE

9 Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Brian M. Mancini

Name of Person Signing

Signature

8-2-01

Date

Total number of pages including cover sheet, attachments, and documents: 3

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments, Washington, D.C. 20231



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO.	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/921,392	08/02/2001	2681	844	CS10466	9	23	4

CONFIRMATION NO. 5983

FILING RECEIPT



0000000006767104

20280
MOTOROLA INC
600 NORTH US HIGHWAY 45
LIBERTYVILLE, IL 60048-5343

Date Mailed: 09/25/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Michael D. Kotzin, Residence Not Provided;

Domestic Priority data as claimed by applicant

Foreign Applications

If Required, Foreign Filing License Granted 09/25/2001

Projected Publication Date: To Be Determined - pending completion of Missing Parts

Non-Publication Request: No

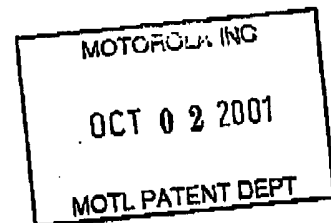
Early Publication Request: No

Title

Method and apparatus for enabling and rewarding wireless resource sharing

Preliminary Class

455



LICENSE FOR FOREIGN FILING UNDER

**Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

GRANTED

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations, especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

OK to pay filing
drawings

"This date stamp herein is an acknowledgment that on the date stamped,
the U.S. Patent and Trademark Office received the following:"

Docket No.:	CS10466	Mail Date:	8/02/01
Applicant	Kotzin, Michael D.		
Entitled:	METHOD AND APPARATUS FOR ENABLING AND REWARDING WIRELESS RESOURCE SHARING		
BMM/jhm	Paid by Deposit Account # 13-4768	\$ 884.00	
Express Mail No.	EL759668730US		

All items marked with an "X" are included in Mail Package.

Pages	Description
	<input checked="" type="checkbox"/> Return Receipt Postcard
2	<input checked="" type="checkbox"/> Utility Patent Application Transmittal Letter
2	<input checked="" type="checkbox"/> Fee Transmittal - 2 copies
30	<input checked="" type="checkbox"/> Specification, Claims and Abstract
3	<input checked="" type="checkbox"/> Executed Declaration
2	<input checked="" type="checkbox"/> Executed Assignment and Agreement with Recordation Sheet
	Information Disclosure Statement
	Form PTO/SB/08 w/prior art references (____ # of references)
	Certified Copy of Priority Document
9	<input checked="" type="checkbox"/> Drawing(s)
	Non-Publication Request

844
40

PCR

UTILITY PATENT APPLICATION TRANSMITTAL

PTO/SB/05 (03-01)		Total Pages:	2
Attorney Docket No.:	CS10466		
First-Named Inventor or Application Identifier	Michael D. Kotzin		
Title:	METHOD AND APPARATUS FOR ENABLING AND REWARDING WIRELESS RESOURCE SHARING		
Express Mail Label No.:	EL759668730US		

(Only for new nonprovisional applications under 37 CFR 1.53(b))

APPLICATION ELEMENTS (see MPEP chapter 600 concerning utility patent application contents)	ADDRESS TO:	Assistant Commissioner for Patents Box Patent Application Washington, D.C. 20231
--	-------------	--

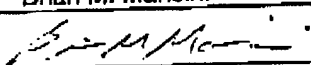
1. ☒ Fee Transmittal Form *in duplicate*
2. ☒ Specification Total Pages
3. ☒ Drawings Total Sheets:
4. ☒ Oath or Declaration with Power of Attorney Total Pages
 - a. ☒ Newly Executed (original or copy)
 - b. ☐ Copy from prior application (37 CFR §1.63(d))
(for continuation/divisional with Box 17 completed)
 - i. ☐ Deletion of Inventor(s):
Signed statement attached deleting inventor(s) named in the prior application
(see 37 CFR §1.63(d)(2) and 1.33(b))
5. ☐ Incorporation by Reference (*useable if Box 4b is checked*)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☐ Application Data sheet. See 37 CFR 1.76
7. ☐ Nucleotide and/or Amino Acid Sequence Submission

ACCOMPANYING APPLICATION PARTS

8. ☒ Assignment Papers (*cover sheet and document(s)*)
9. ☐ 37 CFR §3.73(b) Statement (when there is an assignee) ☐ Power of Attorney
10. ☐ English Translation Document (*if applicable*)
11. ☐ Information Disclosure Statement (IDS) Form PTO/SB/08 ☐ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Return Receipt Postcard (MPEP 503) (*should be specially itemized*)
14. ☐ Certified Copy of Priority Document(s)

15.	<input type="checkbox"/> Nonpublication Request Under 35USC 122(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent		
16.	<input type="checkbox"/> Other:		
17.	IF A CONTINUING APPLICATION <i>check appropriate box and supply the requisite information below and, if applicable, in a preliminary amendment:</i>		
<input type="checkbox"/> Continuation	<input type="checkbox"/> Divisional	<input type="checkbox"/> Continuation-in-Part (CIP)	Prior Appl. No.
Prior Appl. information: Examiner:			Group/Art Unit:

CORRESPONDENCE ADDRESS					
<input checked="" type="checkbox"/> Customer Number or Bar Code Label	20280	or	<input type="checkbox"/>	Correspondence address below	
NAME	Brian M. Mancini Attorney for Applicant(s)				
Reg. No.	39,288				
ADDRESS	Motorola, Inc. Law Department 600 North U.S. Highway 45				
CITY	Libertyville	STATE	IL	ZIP CODE	60048
COUNTRY	U.S.A.	TELEPHONE	815-884-2214	FAX	847-523-2350

SUBMITTED BY			
NAME	Brian M. Mancini	Reg. No.	39,288
SIGNATURE			
DATE	8-2-01	Deposit Account User ID	13-4768

EL759668730US

Form: PTO-1595

**RECORDATION FORM COVER SHEET
PATENTS ONLY**

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1 Name of conveying party(ies):

Michael D. Kotzin

Additional name(s) of conveying party(ies)
attached? ☐ Yes ☐ No**3 Name of conveyance:**

Assignment



Merger



Security Agreement



Change of Name



Other

Execution Date: 8/01/01

2 Name and address of receiving party(ies)Name: Motorola, Inc.Internal Address: Law DepartmentStreet Address: 1303 East Algonquin RoadCity: SchaumburgState: ILZip: 60196Additional name(s) & address(es)
attached? ☐ Yes ☐ No**4 Application number(s) or patent number(s):**

If this document is being filed together with a new application, the execution date of the application is _____

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? ☐ Yes ☐ No**5 Name and address of party to whom correspondence
concerning document should be mailed:**Name: MOTOROLA, INC.Internal Address: IL 93 AN475Street Address: 600 North U.S. Highway 45City: LibertyvilleState: IllinoisZip: 60048**6 Total number of applications and patents
involved:**1**7 Total fee (37 CFR 3.41) \$40.00**

Enclosed



Authorized to be charged to deposit account

8 Deposit account number: 13-4768

(Attach duplicate copy of this page if paying by deposit account.)

DO NOT USE THIS SPACE**9 Statement and signature.**

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document

Brian M. Mancini

Name of Person Signing

Signature

Date

Total number of pages including cover sheet, attachments, and documents: 3Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box Assignments, Washington, D.C. 20231

Docket No. CS10466

EXPRESS MAIL NO.: EL758668730US

PATENT
SOLE

ASSIGNMENT AND AGREEMENT

For good and valuable consideration, the receipt of which is hereby acknowledged, I, **MICHAEL D. KOTZIN, BUFFALO GROVE, IL** have sold, assigned and transferred, and do hereby sell, assign and transfer, unto **MOTOROLA, INC.**, a corporation of the State of Delaware, having its principal office in Schaumburg, State of Illinois, United States of America, and its successors, assigns, and legal representatives, the entire right, title and interest for the United States of America in and to certain inventions relating to an improvement in **METHOD AND APPARATUS FOR ENABLING AND REWARDING WIRELESS RESOURCE SHARING** (Docket No. **CS10466**), described, illustrated and claimed in an application for Letters Patent of the United States of America executed by me on the date indicated by my signature below, together with the entire right, title and interest in and to the application, and in and to Letters Patent which may be issued upon the application, and upon any division, extension, continuation or reissue thereof.

I hereby also sell, assign and transfer unto **MOTOROLA, INC.**, the entire right, title and interest in and to the invention and in and to applications for Letters Patent therefor in all countries foreign to the United States of America, including all rights under any and all international conventions and treaties in respect of the invention and the applications for Letters Patent in foreign countries, and I further authorize **MOTOROLA, INC.** to apply for Letters Patent in foreign countries directly in its own name, and to claim priority of the filing date of the application for Letters Patent of the United States of America under the provisions of any and all international conventions and treaties.

I hereby authorize and request the Commissioner of Patents of the United States of America to issue Letters Patent upon the aforesaid application, division, extension, continuation or reissue, to **MOTOROLA, INC.**, for the sole use and benefit of **MOTOROLA, INC.**, its successors, assigns and legal representatives, to the full end of the term for which the Letters Patent may be granted, the same as they would have been held and enjoyed by me had this assignment not been made, and I hereby authorize and request the equivalent authorities in foreign countries to issue the patents of their respective countries to **MOTOROLA, INC.**

CS10466

1

Docket No. CS10466

EXPRESS MAIL NO.: EL758688730US

I agree that, when requested, I will, without charge to MOTOROLA, INC., but at its expense, sign all papers, take all rightful oaths, and do all acts which may be necessary, desirable or convenient for securing and maintaining patents for the inventions in any and all countries and for vesting title thereto in MOTOROLA, INC., its successors, assigns and legal representatives or nominees.

I covenant with MOTOROLA, INC., its successors, assigns and legal representatives, that the interest and property hereby conveyed is free from all prior assignment, grant, mortgage, license or other encumbrance.

Michael D. Kotzin
MICHAEL D. KOTZIN

DATE: August 1, 2001

STATE OF ILLINOIS
COUNTY OF LAKE

The undersigned Notary Public in and for the County and State aforesaid, do hereby certify that Michael D. Kotzin whose name is subscribed to the foregoing instrument, appeared before me this day in person and acknowledged that they signed, sealed and delivered the instrument as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and notarial seal this 1ST day of AUGUST, 2001.

My commission expires:

Jennifer Magness
Notary Public Signature

JENNIFER MAGNESS
Printed Name of Notary Public



CS10466

2

Docket No. CS10466

EXPRESS MAIL NO.: EL758668730US

DECLARATION FOR UTILITY OR DESIGN PATENT APPLICATION (37 CFR 1.63)
COMBINED WITH POWER OF ATTORNEY☒ Declaration Submitted with
Initial Filing☐ Declaration Submitted after
Initial Filing (surcharge
(37 CFR 1.16(e)) required)

Attorney Docket Number

CS10466

First Named Inventor

Michael D. Kotzin

Application Number

Filing Date

Group Art Unit

Examiner Name

☒ Regular (Utility) Application☐ Design application

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

METHOD AND APPARATUS FOR ENABLING AND REWARDING WIRELESS RESOURCE SHARING

the specification of which:

☒ Is attached hereto☐ was filed on:

as U.S. Serial No.:

and was amended on:

(if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability of this application in accordance with Title 37, Code of Federal Regulations, Section 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or (f), or 365(b) of any foreign application(s) for patent or inventor's certificate(s), or 365(a) of any PCT international application which designated at least one country other than the United States of America, listed below and have also identified below, by checking the box, any foreign application for patent, inventor's certificate(s), or any PCT international application having a filing date before that of the application on which priority is claimed:

Prior Foreign Application Number(s)	Country	Foreign Filing Date (MM/DD/YYYY)	Priority Not Claimed	Certified Copy Attached?
				<input type="checkbox"/> Yes <input type="checkbox"/> No
				<input type="checkbox"/> Yes <input type="checkbox"/> No

☐ Additional foreign application numbers are listed on a supplemental priority data sheet PTO/SB/02B attached hereto:

CS10466

1

Docket No. CS10466

EXPRESS MAIL NO.: EL759668730US

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Provisional Application Serial No.:	
Provisional Application Filing Date:	

I hereby claim the priority benefit under Title 35, United States Code, Section 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, Section 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, Section 1.56(a) which is material to the patentability of this application and which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

Prior U.S. Application(s):

☒
☐

no such application(s) filed
such application(s) identified as follows:

Application No.	Filing Date (day, month, year)	Status (Patented, Pending, Abandoned)

I hereby declare that: as to any claimed subject matter of this application which is common to my earlier United States or foreign application(s), if any, which I have identified above and claimed the benefit of priority thereof, I do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the first of said earlier application(s), or in public use or on sale in the United States more than one year prior to the first of said earlier application(s), and that the said common subject matter has not been patented or made the subject of an inventor's certificate before the date of the first of said earlier U.S. application(s) in any country foreign to the United States on an application, filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the first of said earlier U.S. application(s), if any; and that, as to any claimed subject matter of this application which is not common to said earlier application(s), if any, I do not know and do not believe that the same was ever known or used in the United States before my invention thereof or patented or described in any printed publication in any country before my invention thereof or more than one year prior to the date of this application, or in public use or on sale in the United States more than one year prior to the date of this application, and that said subject matter has not been patented or made the subject of an inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than twelve months (six months if the present application is a Design patent application) prior to the date of this application.

I hereby appoint the attorney(s) or agent(s) associated with: Customer Number 20280 to prosecute this application and transact all business in the patent and trademark office connected therewith.

Address all telephone calls to:

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CS10466

2

Docket No. CS10466

EXPRESS MAIL NO.: EL759668730US

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first-named or sole inventor	MICHAEL D. KOTZIN		
Inventor's signature	<u>Michael D. Kotzin</u>	Date	<u>August 1, 2001</u>
Residence	<u>Buffalo Grove</u> City	<u>IL</u> State or Foreign Country	
Citizenship	<u>United States of America</u> Country		
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Date: December 8, 2003

To: Art Group Unit ~~2661~~ 2681

Location: United States Patent and Trademark Office

Fax No.: ~~703-308-6916~~ 703 872 9314

From: Brian M. Mancini (Registration No. 39,288)

Subject: Serial No. 09/921,392 - Kotzin, Michael D.

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MESSAGE:

Enclosed herewith, please find a PETITION FOR REVIVAL OF AN APPLICATION for filing in the below-identified application.

PLEASE GIVE THESE PAPERS TO:

GROUP ART UNIT:	2661
SERIAL NO.:	09/921,392
FILED:	03/13/2002
INVENTOR:	Kotzin, Michael D.
DOCKET NO.:	CS10466